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SUBJECT: APPROACHING THE EU IN ADVANCE OF THE NOVEMBER
10 FOREIGN MINISTERS MEETING (GAERC) - DEALING WITH
RUSSIA

REF: STATE 115017

11. (U) This is an action request. See paragraph 5.

12. (SBU) Summary: The biannual EU-Russia Summit will take place on November 14 in Nice, France. In the wake of the crisis in Georgia, the French EU Presidency has announced that the discussions will focus on the implementation of the provisions of the Sarkozy cease-fire agreements of August 12 and September 8, and the way forward on the EU-Russia Partnership and Cooperation Agreement. Background and points on Russia/Georgia for use in approaching the EU in advance of the November 10 GAERC meeting of foreign ministers have been provided reftel. As a supplement to that cable, this message contains new points concerning President Medvedev's proposal for a new European security dialogue and a reiteration of closely-related points on the EU-Russia partnership agreement. Posts should draw from these points in discussions as soon as possible at the appropriate level in EU member state host governments, as well as with the European Commission and Council Secretariat. Other posts should not deliver these points. Posts are requested to include the SIPDIS caption on their response cables and to reference this cable. End Summary.

13. (SBU) Russian President Medvedev first proposed a pan-European security treaty in June 2008, then elaborated on the proposal at the World Policy Conference in Evian, France in October. In his own Evian address, President Sarkozy, whose country now serves in the EU Presidency, correctly stated that the Medvedev proposal must be assessed in light of existing security principles and organizations (e.g., NATO, OSCE) and in coordination with the United States. We consider it premature and inappropriate for either the U.S. or the EU to enter into discussions of the Medvedev proposal with Russia, particularly when Russia has failed to honor its commitments under existing framework security agreements, has not yet complied with its current commitments on security arrangements in Georgia under the August 12 and September 8 cease-fire agreements, and indeed has not helped us put the Geneva process on Georgia on track. Rather, we should keep the focus on Russian actions regarding Georgia and, for example, have Russia explain why we should consider their proposal on European security given their own behavior. Similarly, as stated in reftel, we believe that now is not the time for the EU to resume negotiations with Moscow on a new EU-Russia Partnership

and Cooperation Agreement (PCA). Host country interlocutors may assert that the U.S. is inconsistent in its position on negotiating with Russia, citing our engagement with Moscow on the START Treaty. Indeed, we do believe in dialogue with Russia on key issues of strategic interest. But we believe that these cases are not analogous, as the START Treaty itself requires interaction among the Treaty partners on a regular basis, and the U.S. is thus complying with its international treaty requirements. It should be further emphasized that the START Treaty requires, by law, that both sides meet by December 5, 2008 to keep open the option to extend the treaty beyond December 2009.

14. (SBU) On balance, we believe that moving too fast with Russia or honoring Russian attempts to divide the United States and Europe, even with sound objectives in mind, risks sending the wrong message. Postponement of the resumption of the PCA talks until, for example, the Russians have helped put the Geneva process on track and are helping reduce, not stoke, tensions in Georgia, would send the right message. The next round of Geneva discussions will take place November 18-19. If the EU decides to proceed with resumption of the PCA talks with Moscow, it is critical they do so in a way that minimizes the damage. They should in no case base a decision to resume PCA talks on a false assertion that

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Russia has fulfilled the requirements of the ceasefire. They should not convey that the Russo-Georgia war has been set aside as a major international problem. They should not act in a way that undermines the real concerns by some European states about pressure from Russia.

15. (SBU) ACTION REQUEST: Posts are requested to draw on the following points in discussions with appropriate MFA official(s) as soon as possible (in advance of the November 10 GAERC meeting) and not to leave a non-paper.

-- We have already shared our views on Russia/Georgia in the run-up to the November 10 GAERC and appreciate this opportunity to follow up with some additional thoughts as the EU finalizes its preparations for the November 14 EU-Russia Summit.

-- In particular, we are deeply concerned about President Medvedev's proposal for a new pan-European security treaty.

-- It is difficult to conceive giving Russia an audience to discuss proposals for improving Europe's security architecture -- based on principles including respect for territorial integrity -- not long after Russia invaded its neighbor, recognized the "independence" of two separatist regions on that neighbor's sovereign territory, and while it maintains a significant military force presence on the territory of a neighboring sovereign state.

-- Such actions are inconsistent with existing security cooperative frameworks, such as the NATO-Russia Founding Act and the Helsinki accords.

-- Russia has not yet complied with the August 12 and September 8 cease-fire agreements, specifically by failing to withdraw to pre-August 7 numbers and positions of troops and refusing to allow humanitarian access to South Ossetia and Abkhazia. It is critical that the EU not suggest that Russia is in full compliance with the ceasefire, which would raise problems of credibility.

-- We hope and expect that the EU will continue to express concerns about the unfulfilled elements of the ceasefire and other issues that raise tensions in

Georgia, such as the presence of Russian troops in Akhalkalaki and the Upper Kodori Valley and continued failure to allow international monitors (e.g., from the OSCE) into South Ossetia.

-- Under these circumstances, particularly when Russia has failed to honor its commitments under existing security agreements, formal discussion of President Medvedev's security architecture proposal is premature and inappropriate.

-- We are also concerned about Russian efforts to divide Europe and North America.

-- For our part, we welcomed President Sarkozy's Evian comments in response to President Medvedev which stressed that the Medvedev proposal must be assessed in light of existing European security principles and organizations, including NATO and the OSCE, and that this assessment must be carried out in coordination with the United States and Canada.

-- Rather, we should keep the focus on these commitments regarding Georgia and insist that the Russians explain why we should consider their proposal on European security given their own behavior in Georgia and other aspects of Russian behavior, e.g., their unilateral suspension of CFE.

-- The U.S. and EU need to continue to exercise caution, and ensure U.S.-European coordination to minimize opportunities for Russia to try to divide us, as we proceed with our review of this latest security architecture proposal from Moscow. We look forward to consulting with you further on these important issues, and we welcome your suggestions on how to strengthen our coordination.

-- This is also the context in which we have considered the European debate about when and how to move forward with the EU-Russia Partnership and Cooperation Agreement (PCA). With all respect for the EU's internal deliberations, we question the basis for resuming PCA

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negotiations with Russia before Moscow has met all of its commitments under the cease-fire agreement.

-- We understand that continued engagement with Russia remains a priority for many within the EU, despite Moscow's failure to comply with its cease-fire commitments.

-- Indeed, we do not believe that EU or U.S. dialogue with Moscow should be halted.

-- That said, we hope that the EU will look carefully at issues of timing. We do not want the Russians to misinterpret EU interest in PCA talks as absolving them of responsibility to fulfill their commitments under the Sarkozy-negotiated ceasefire.

-- However the EU proceeds, we place great importance in maintaining our unified public position that Russia still has not met its commitments under the cease-fire agreements.

-- It will be critical to convey to Russia that Europe has not simply "swept Georgia aside" as an inconvenience in an effort to resume business as usual at all costs.

-- Conveying a sense of solid European (and solid Transatlantic) concern over Georgia and, indeed, over the more problematic aspects of Russian foreign policy is even more important in light of the harsh language from President Medvedev's "state of the federation" speech, which included threats to install offensive

missiles in Kaliningrad. We also do not want to see Russia emerge with a sense that European concerns about Russian behavior in Georgia and beyond have been brushed aside.

-- The context and underpinnings of the EU decision about the PCA talks can be critical in shaping the way that decision is received.

-- Thank you for this opportunity to exchange views on these matters of central importance to Euro-Atlantic security.

RICE